

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT M. TAYLOR,

Plaintiff,

v.

THOMAS BRINGMAN,

Defendant.

Case No. 1:22-cv-519

HON. JANE M. BECKERING

/

MEMORANDUM OPINION AND ORDER

Plaintiff Robert M. Taylor, proceeding pro se, initiated this 19-count action against Defendant Thomas Bringman in April 2022. Defendant answered the Complaint. On July 14, 2022, Defendant filed a Motion for Judgment on the Pleadings, arguing that Plaintiff failed to state any plausible claims against him and, alternatively, the claims are time-barred. The matter was referred to the Magistrate Judge. On February 10, 2023, the Magistrate Judge issued a Report and Recommendation (R&R), recommending that this Court grant the motion. The matter is presently before the Court on Plaintiff's objection to the Report and Recommendation. Defendant filed a response to the objection.

This Court is required to make "a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1). This Court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." *Id.*; *see also* FED. R. CIV. P. 72(b)(3) ("The district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to."). This Court's Local Rules require any party objecting to a Report and

Recommendation to “specifically identify the portions of the proposed findings, recommendations or report to which objections are made and the basis for such objections.” W.D. Mich. LCivR 72.3(b); *see also Miller v. Currie*, 50 F.3d 373, 380 (6th Cir. 1995) (holding that “objections disput[ing] the correctness of the magistrate’s recommendation but fail[ing] to specify the findings ... believed [to be] in error” are too general).

Plaintiff’s “objection,” therefore, is properly denied inasmuch as it provides no grounds for review—let alone rejection—of the Report and Recommendation. As Defendant points out (Resp., ECF No. 111 at PageID.620–621), Plaintiff offers no substantive analysis of the legal issues the Magistrate Judge reviewed. Accordingly, this Court denies the objection and adopts the Magistrate Judge’s Report and Recommendation as the Opinion of this Court. A Judgment will also be entered, *see* FED. R. CIV. P. 58, and this Court will certify pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of the Judgment would not be taken in good faith. *See McGore v. Wigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007). Therefore:

IT IS HEREBY ORDERED that the Objection (ECF No. 109) is DENIED and the Report and Recommendation of the Magistrate Judge (ECF No. 105) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Motion for Judgment on the Pleadings (ECF No. 25) is GRANTED.

IT IS FURTHER ORDERED that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith.

Dated: March 17, 2023

/s/ Jane M. Beckering
JANE M. BECKERING
United States District Judge